

**UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS**

LAMAR BRISON,)	
)	
)	
Plaintiff,)	
)	
)	Civil Action No. 1:21-CV-12016-AK
v.)	
)	
TERRY DOE and DIANA GARCIA)	
)	
Defendants.)	
)	

MEMORANDUM AND ORDER

A. KELLEY, D.J.

Plaintiff Lamar Brison brings this action under 42 U.S.C. § 1983, alleging violations of his Eighth Amendment right to be free from cruel and unusual punishment, against Defendant Diana Garcia, a nurse practitioner, and Defendant Terry Doe, a registered nurse, both of whom work for Wellpath LLC, which provides medical services to various Massachusetts Department of Corrections facilities. Brison has filed a motion to compel all incident reports and video footage related to an incident he was involved in on April 13, 2021, in the “HSU” at MCI-Concord, the Massachusetts Department of Corrections facility in Concord where he was previously housed. [Dkt. 35]. He claims he has written to MCI-Concord to request those records, and MCI-Concord has refused his request. [Id.]. His motion to compel is very similar to a previous request that the Court denied as premature. [See Dkt. 24 at 3 n. 1].

MCI-Concord is not a defendant in this case. At the previous status conference on April 24, 2023, counsel for Defendants reported that they were not in possession of the information

Brison sought, but MCI-Concord may be. The Court is not aware, as of yet, of any subpoena that Brison has issued for the requested information from MCI-Concord.

The Court invites counsel for MCI-Concord to appear at the next status conference on **June 13, 2023, at 10:30 a.m.** to assist the Court in understanding any obstacles that are preventing discovery from proceeding.

The Clerk is ordered to mail this Order and Brison's motion to compel [Dkt. 35] to MCI-Concord at 965 Elm St., P.O. Box 9106, Concord, MA, 017423, and to the Massachusetts Department of Correction, Legal Division, at 70 Franklin Street, Suite 600, Boston, MA, 02110. The Clerk shall also send this Order via email or mail to any relevant MCI-Concord representatives. Representatives from MCI-Concord may contact the Courtroom Clerk for access to the Zoom link for the status conference.

SO ORDERED.

Dated: May 19, 2023

/s/ Angel Kelley
Hon. Angel Kelley
United States District Judge